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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,266	11/30/2000	Steven L. Pratt	AUS9-2000-0486-US1	5203

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EXAMINER

LEE, PHILIP C

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/726,266		PRATT ET AL.	
	Examiner		Art Unit	
	Philip C. Lee		2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-12, 15 and 18-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-12, 15 and 18-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. This action is responsive to the amendment and remarks filed on January 19, 2006.
2. Claims 1-3, 5-12, 15 and 18-28 are presented for examination and claims 4, 13-14, 16 and 17 are canceled.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections – 35 USC 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 18 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 18 claimed a computer program product stored in a computer-readable medium, and the specification defined the computer-readable medium as a transmission type media (signal or transmittal wave) (spec, page 11, lines 14-32). Thus, a computer program product stored on a transmission type media is not one of the categories of statutory subject matter.

Claim Rejections - 35 USC 102

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4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1, 3, 5, 18-19 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Marks et al, U.S. Patent Application Publication 20020010768 (hereinafter Marks).

6. As per claims 1, 18 and 27, Marks taught the invention as claimed comprising:
creating a particular configuration file (user profile) for each user of a network, wherein each configuration file contains a list of the network resources that a user may access (page 4, paragraph 47);
receiving a user identification at a client (page 4, paragraph 45);

initiating a resource attachment program in response to receiving the user identification (page 4, paragraphs 46 and 47) (i.e., the middleware server queries the user database to determine a user profile for the user in response to receiving the user identification); matching, using the resource attachment program, the user identification with a configuration file associated with the user identification (page 4, paragraph 47); and attaching, using the resource attachment program, network resources to the client based on the list contained in the configuration file associated with the user identification (page 5, paragraph 51).

7. As per claim 3, Marks taught the invention as claimed in claim 1 above. Marks further taught wherein each configuration file is stored on a network server (database) (pages 2-3, paragraph 28; page 4, paragraph 47).

8. As per claims 5 and 19, Marks taught the invention as claimed in claims 1 and 18 above. Marks further taught wherein said resource attachment program is stored on the client computer (page 3, paragraph 30; page 5, paragraph 51)

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9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2, 6, 8-9, 15, 20 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marks in view of Win et al, U.S. Patent 6,161,139 (hereinafter Win).

11. Win was cited in the last office action.

12. As per claims 2 and 15, Marks taught the invention as claimed in claims 1 and 18 above. Marks did not specifically teach the list is defined by a network administrator. Win taught wherein the list is defined by a network administrator (col. 12, lines 45-50).

13. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Marks and Win because Win's teaching of a network administrator defining the list would increase the administrator's flexibility in Marks's system by allowing administrator to control the assignment of resources to users (col. 12, lines 45-48).

14. As per claims 6 and 20, Marks taught the invention as claimed in claims 1 and 18 above. Mark did not specifically teach said resource attachment program is stored on a server. Win

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taught wherein the resource attachment program is stored on a network server (fig. 7; col. 12, lines 51-53).

15. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Marks and Win for the same reason set forth in claim 2 above.

16. As per claims 8 and 22, Mark and Win taught the invention substantially as claimed in claims 7 and 21 above. Win further taught wherein the record is stored on the client (col. 13, lines 20-21; col. 23, lines 47-51).

17. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Marks and Win for the same reason set forth in claim 7 above.

18. As per claims 9 and 23, Marks and Win taught the invention substantially as claimed in claims 7 and 21 above. Win further taught wherein the record is stored on a network server (col. 13, lines 21-23).

19. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Marks and Win for the same reason set forth in claim 7 above.

20. Claims 7, 10-11, 21, 24-25 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marks and Win in view of Corn et al, U.S. Patent 5,781,738 (hereinafter Corn).

21. Corn was cited in the last office action.

22. As per claims 7 and 21, Marks taught the invention as claimed in claims 1 and 18 above. Mark did not teach creating a record of all successfully attached resources. Corn taught creating a record of all successfully attached resources (col. 3, line 46-col. 4, line 6).

23. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Marks and Corn because Corn's teaching of creating a record of all successfully attached resources would increase the alertness of Marks's system by allowing the system to determine whether any programs or files (i.e. resources) are opened across the network (col. 4, lines 5-13).

24. As per claims 10, 24 and 28, Marks taught the invention as claimed in claims 1, 18 and 27 above. Marks did not teach unattaching the resources when the user log out. Corn taught comprising:

receiving a log out command from the user and unattaching the attached resources (col. 3, lines 28-45).

25. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Marks and Corn because Corn's teaching of unattaching the resources would increase the efficiency of Marks's system by allowing the unattached resources to be shared with other user (col. 3, lines 32-33).

26. As per claims 11 and 25, Marks and Corn taught the invention substantially as claimed in claims 7 and 21 above. Corn further taught comprising:
receiving a log out command from the user and deleting the record of attached resources
(col. 7, lines 33-39; col. 5, lines 64-col. 6, lines 4).

27. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Marks and Corn for the same reason set forth in claim 7 above.

28. Claims 12 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Win in view of Birrell, U.S. Patent 6,805,803 (hereinafter Birrell).

29. Birrell was cited in the last office action.

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30. As per claims 12 and 26, Marks taught the invention as claimed in claims 1 and 18 above. Marks did not teach the client computer uses the UNIX operating system. Birrell taught wherein the client computer uses the UNIX operating system (col. 15, lines 23-32).

31. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Marks and Birrell because Birrell's teaching of using the UNIX operating system would increase the flexibility of Marks's system by allowing the use of client with different type of operating system according to the choice of the designer.


32. Applicant's arguments with respect to claims 1-3, 5-12, 15 and 18-28, filed 01/19/06, have been fully considered and are moot in view of the new grounds of rejection.

33. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Lee

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whose telephone number is (703) 305-7721. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Philip Lee


JOHN FOLLANSBEE
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